



E-Filed on 4/4/08

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3 Attorneys for USACM Liquidating Trust

4 In re:

5 USA COMMERCIAL MORTGAGE
 COMPANY,

6 USA CAPITAL REALTY ADVISORS,
 LLC,

7 USA CAPITAL DIVERSIFIED TRUST
 DEED FUND, LLC,

8 USA CAPITAL FIRST TRUST DEED
 FUND, LLC,¹

9 USA SECURITIES, LLC,² Debtors.

10 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

11 Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR¹
 Case No. BK-S-06-10729-LBR²

12 CHAPTER 11

13 Jointly Administered Under Case No.
 BK-S-06-10725 LBR

14 **NOTICE OF HEARING REGARDING
 SECOND OMNIBUS OBJECTION OF
 USACM TRUST TO PROOFS OF
 CLAIM BASED UPON
 INVESTMENT IN THE SLADE
 DEVELOPMENT, INC. LOAN; AND
 CERTIFICATE OF SERVICE**

15 Date of Hearing: May 8, 2008
 Time of Hearing: 10:30

16 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM
 THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR
 CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN THE
 SLADE DEVELOPMENT, INC. LOAN BECAUSE THE USACM TRUST**

17 ¹ This bankruptcy case was closed on October 12, 2007.

18 ² This bankruptcy case was closed on December 26, 2007.



1 **CONTENDS THAT YOU HAVE BEEN PAID IN FULL FOR YOUR
2 INVESTMENT IN THAT LOAN. THIS OBJECTION WILL NOT IMPACT
3 YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A
4 DIFFERENT LOAN.**

5 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
6 COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS
7 REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM
8 SHOULD BE DIRECTED TO BRANT FYLLING OF SIERRA CONSULTING
9 GROUP, LLC ((602) 424-7009) OR THE UNDERSIGNED COUNSEL.**

10 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust has filed its
11 Second Omnibus Objection to Proofs of Claim Based Upon Investment in the Slade
12 Development, Inc. Loan (the “Objection”). Your Proof of Claim number and other
13 information regarding your claim is provided in **Exhibit A**, attached. The USACM
14 Liquidating Trust has requested that this Court enter an order, pursuant to Bankruptcy
15 Code § 502 and Bankruptcy Rule 3007, disallowing your Proof of Claim to the extent it is
16 based upon an investment in the Slade Development, Inc. Loan. The Objection will not
17 impact your Claim to the extent it is based upon an investment in a different loan.

18 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
19 before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley
20 Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on
21 **May 8, 2008, at the hour of 10:30**

22 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON MAY 8,
23 2008, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND
24 SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE
25 HEARD ON THAT DATE.**



1 **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed
 2 by May 1, 2008 pursuant to Local Rule 3007(b), which states:

3 If an objection to a claim is opposed, a written response must be filed and
 4 served on the objecting party at least 5 business days before the scheduled
 5 hearing. A response is deemed sufficient if it states that written
 6 documentation in support of the proof of claim has already been provided to
 the objecting party and that the documentation will be provided at any
 evidentiary hearing or trial on the matter.

7 If you object to the relief requested, you *must* file a **WRITTEN** response to this
 8 pleading with the Court. You *must* also serve your written response on the person who
 9 sent you this notice.

10 If you do not file a written response with the Court, or if you do not serve your
 11 written response on the person who sent you this notice, then:

- 12 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 13 • The Court may *rule against you* and sustain the objection without formally
 14 calling the matter at the hearing.

15 Dated: April 4, 2008.

16 LEWIS AND ROCA LLP

17 By /s/ Rob Charles (#6593)
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 Rob Charles, NV 6593
 John C. Hinderaker, AZ 18024 (*pro hac vice*)
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 Attorneys for the USACM Liquidating Trust

22 Copy of the foregoing mailed by first class
 23 postage prepaid U.S. Mail on
 April 4, 2008 to:

24 Parties listed on Exhibit A attached.

25 s/Renee L. Creswell
 26 Renee L. Creswell
 Lewis and Roca LLP